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No. 5903

**UNITED STATES OF AMERICA
and
JAPAN**

**Exchange of notes constituting an agreement relating to the
settlement of claims of Japanese nationals formerly
resident in certain Japanese islands. Tokyo, 8 June 1961**

Official texts : English and Japanese.

Registered by the United States of America on 10 October 1961.

**ÉTATS-UNIS D'AMÉRIQUE
et
JAPON**

**Échange de notes constituant un accord relatif au règlement
des créances de ressortissants japonais autrefois domi-
ciliés dans certaines îles japonaises. Tokyo, 8 juin 1961**

Textes officiels anglais et japonais.

Enregistré par les États-Unis d'Amérique le 10 octobre 1961.

No. 5903. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND JAPAN RELATING TO THE SETTLEMENT OF CLAIMS OF JAPANESE NATIONALS FORMERLY RESIDENT IN CERTAIN JAPANESE ISLANDS. TOKYO, 8 JUNE 1961

I

The American Ambassador to the Japanese Minister for Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

Tokyo, June 8, 1961

No. 1378

Excellency :

I have the honor to refer to conversations between our two Governments regarding claims of Japanese nationals formerly resident in the Bonin Islands, Rosario Island, the Volcano Islands, Marcus Island and Parece Vela arising from measures taken by the United States of America in connection with the exercise of its rights under Article 3 of the Treaty of Peace with Japan.²

I now desire to inform Your Excellency that the Government of the United States of America hereby tenders to the Government of Japan the sum of six million dollars in full satisfaction and settlement of all claims of Japan and of its nationals concerned, whether natural or juridical persons, against the Government of the United States of America or any agency thereof, arising from the measures taken by the United States of America, which have resulted in the inability of the Japanese nationals concerned to enjoy the use, benefit or exercise of property rights or interests tangible or intangible, in the said islands for the period beginning April 28, 1952, the effective date of the Treaty of Peace with Japan and continuing until such time as the above measures are discontinued by the United States of America. This offer is made with the understanding that the Government of Japan will distribute the tendered sum to the Japanese nationals concerned in accordance with methods of distribution to be adopted by the Government of Japan, and with the further understanding that the payment of the sum mentioned above does in no way constitute the transfer to the United States Government or any agency thereof of property

¹ Came into force on 8 June 1961 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 136, p. 45 ; Vol. 163, p. 385 ; Vol. 184, p. 358 ; Vol. 199, p. 344 ; Vol. 243, p. 326, and Vol. 260, p. 450.

rights or ownership interests belonging to the Japanese nationals concerned, nor does it prejudice in any way their claim for return to those islands.

I should appreciate it if Your Excellency would inform me whether the sum tendered herein is acceptable to your Government and whether the above understandings of my Government are also the understandings of your Government. In the event such sum is acceptable, I have the honor to propose that this note and Your Excellency's reply accepting the tendered sum shall be considered as constituting an agreement between our two Governments which shall come into force on the date of your reply.

Accept, Excellency, the renewed assurances of my highest consideration.

Edwin O. REISCHAUER

His Excellency Zentaro Kosaka
Minister for Foreign Affairs
Tokyo

[TRANSLATION¹ — TRADUCTION²]

Tokyo, June 8, 1961

Mr. Ambassador :

I have the honor to refer to Your Excellency's note of this date which reads as follows :

[*See note I*]

I have the honor to inform Your Excellency on behalf of my Government that the sum tendered is acceptable to the Government of Japan and receipt thereof is hereby acknowledged. I have further the honor to inform Your Excellency that the above understandings of your Government are also the understandings of my Government and to agree with the proposal that Your Excellency's note and this reply accepting the above mentioned sum on behalf of my Government with such understandings shall be considered as constituting an agreement between our two Governments which shall come into force on the date of this reply.

I avail myself of this opportunity to renew to Your Excellency, Mr. Ambassador the assurance of my highest consideration.

Zentaro KOSAKA
Minister for Foreign Affairs of Japan

His Excellency Edwin O. Reischauer
Ambassador Extraordinary and Plenipotentiary
of the United States of America to Japan

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.